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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

### CERTIFICATE OF MAILING

I hereby certify that this paper and the documents and/or fees referred to as attached therein are being deposited with the United States Postal Service on March 24, 2000 in an envelope as First Class Mail, addressed to: Assistant Commissioner for Patents, Washington, DC 20231.

Jacquie Sears  
Jacquie Sears

Attorney Docket No.: KEYNPO05

First Named Inventor:

Eric Hamer et al.

Application No. 09/475,765

### RESPONSE TO NOTICE TO FILE MISSING PARTS

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

Duplicate for  
fee processing

Sir: This is a Response to Notice to File Missing Parts in a patent application in the name of inventors: Eric Hamer, Kent Yee, Don Aoki, Umang Gupta, Ronald E. Wolf and Frederick L. Mueller

For: METHOD AND SYSTEM FOR EVALUATING QUALITY OF SERVICE OVER THE INTERNET

#### Application Elements:



Declaration



Newly executed (original or copy)



Copy from a prior application (37 CFR 1.63(d) for a continuation or divisional).

The entire disclosure of the prior application from which a copy of the declaration is herein supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.



Deletion of inventors Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

#### Accompanying Application Parts:



Information Disclosure Statement with Form PTO-1449



Copies of IDS Citations



Preliminary Amendment (*New claims numbered after highest original claim in prior application.*)



Return Receipt Postcard



Verified Statement Claiming Small Entity Status filed in prior application. Status still proper and desired.



Other:

Amendments

Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained.)

Fee Calculation (37 CFR § 1.16)

	(Col. 1) <u>NO. FILED</u>	(Col. 2) <u>NO. EXTRA</u>	<u>RATE</u>	<u>SMALL ENTITY</u> <u>Fee</u>	<b>OR</b>	<u>LARGE ENTITY</u> <u>RATE</u>	<u>Fee</u>
BASIC FEE				\$380 \$	OR	\$690 \$	
TOTAL CLAIMS	<u>37</u>	-20 =	<u>17</u>	x9 = \$	OR	x18 =	\$306
INDEP CLAIMS	<u>3</u>	-03 =	<u>0</u>	x39 = \$	OR	x78 =	\$
[ ] Multiple Dependent Claim Presented				\$130 = \$	OR	\$260 = \$	
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.				Total \$	OR	Total	\$690

Applicants petition for a two (2) month extension of time to respond under 37 CFR § 1.136(a).

Check No. 3124 in the amount of \$1126 is enclosed.

General Authorizations

Applicants hereby make and generally authorize any Petitions for Extensions of Time as may be needed for this or any subsequent filings. The Commissioner is also authorized to charge any extension fees under 37 CFR §1.17 as may be needed to Deposit Account No. 50-0685 (Order No. KEYNP005).

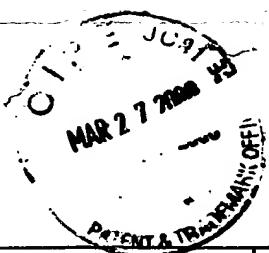
The Commissioner is given general authorization to charge any fees or to credit any overpayment during the pendency of this application to Deposit Account No. 50-0685 (Order No. KEYNP005).

Please send correspondence to the following address:

**Customer No. 21912**  
RITTER, VAN PELT & YI LLP  
4906 El Camino Real, Suite 205  
Los Altos, CA 94022

Date: 3.24.00

  
**Cindy S. Kaplan**  
Reg. No. 40,043

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/475,765 12/30/99 HAMER

E KEYNP005

021912 0222/0214  
RITTER VAN PELT & YI, L.L.P.  
4906 EL CAMINO REAL  
SUITE 205  
LOS ALTOS CA 94022

#3

DATE MAILED: 56

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
*Filing Date Granted*

02/14/00

4/14/00

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of  \$65.00 for a small entity in compliance with 37 CFR 1.27, or  \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
 small entity (statement filed)  non-small entity is \$ 106.

1. The statutory basic filing fee is:

missing.

insufficient.

Applicant must submit \$ 69.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. The following additional claims fees are due:

\$ 306 for 17 total claims over 20.

\$            for            independent claims over 3.

\$            for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

is missing or unsigned.

does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

08/08/00

7. Your filing receipt was mailed in error because your check was returned without payment.

08/08/00

8. The application was filed in a language other than English.

08/08/00

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

08/08/00

9. OTHER:

08/08/00

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

00000134 0847563

**A copy of this notice MUST be returned with the reply.**

11/01/00

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

11/01/00

03/02/00